



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard Ian Christopherson et al.
Application No. : 09/869,229
Filed : June 25, 2001
For : AN ASSAY TO DETECT A BINDING PARTNER

Examiner : Cheyne D. Ly
Art Unit : 1631
Docket No. : 650061.401USPC
Date : September 20, 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF SUBSTANCE OF INTERVIEW SUMMARY

Commissioner for Patents:

In response to the Office Communication mailed on August 19, 2004 by the U.S. Patent and Trademark Office (PTO), Applicants submit the following Statement. This Statement is timely filed within one month of receipt of the Office Communication in view of the fact that September 19, 2004 falls on a Sunday.

The Statement begins on page 2 of this paper.

STATEMENT

Dr. Jeremy Chrisp and Applicants' representative, Dr. William Christiansen, met with Examiner Ly and his colleague Examiner Ardin Marshcel in a personal interview on August 10, 2004. During the interview Applicants presented an introduction and overview of the invention. Applicants also presented an exhibit describing a certain embodiment of the invention, a leukemia diagnostic assay. Applicants and the Examiners generally discussed the claimed assay device and features of the device that relate to the pattern of interaction, including that the pattern of interaction indicates a condition, exemplified by present claim 43. A discussion took place, indicating that perhaps allowable subject matter could be found in claims modeled after present claim 43 and clarifying the "pattern of interaction" language. Specific, written claim amendments were not proposed to Examiner Ly during the interview.

Applicants wish to thank Examiner Ly and Examiner Marshcel for their time and comments during the interview.

Respectfully submitted,

SEED Intellectual Property Law Group PLLC



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Enclosure:

Postcard

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1631

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**TRANSMITTAL
FORM***(To be used for all correspondence
after initial filing)*

Application Number	09/869,229
Filing Date	June 25, 2001
First Named Inventor	Richard Ian Christopherson
Art Unit	1631
Examiner Name	Cheyne D. Ly
Attorney Docket No.	650061.401USPC

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>): _____ _____ _____
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Remarks**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual Name	William T. Christiansen, Ph.D.	Customer Number 00500
Signature		
Date	September 20, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	SENT VIA EXPRESS MAIL	
Signature		Date:

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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